

AO 440 (Rev. 10/93) Summons in a Civil Action

United States District Court

DISTRICT OF MASSACHUSETTS

2004 JUN 17 P 3:37

RICHARD PAGONA, Individually and On Behalf
of All Others Similarly Situated,

SUMMONS IN A CIVIL CASE.

V.

CASE NUMBER:

VASO ACTIVE PHARMACEUTICALS, INC.,
STEPHEN G. CARTER and JOHN J. MASIZ

04-11100 RCL

TO: (Name and address of defendant)

JOHN J. MASIZ
26 High Street
Topsfield, MA 01983

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Nancy Freeman Gans
MOULTON & GANS, P.C.
33 Broad St., Suite 1100
Boston, MA 02109-4216
617-369-7979

Evan J. Smith
BRODSKY & SMITH, LLC
Two Bala Plaza, Suite 602
Bala Cynwyd, PA 19004
610-667-6200

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(BY) DEPUTY CLERK



5-25-04

AO 440 (Rev. 10/93) Summons in a Civil Action (Reverse)

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹	DATE May 26, 2004
NAME OF SERVER (PRINT) Nancy Freeman Gans	TITLE Attorney

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: _____

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☒ Other (specify): By delivering a copy of same in hand to Colleen Henschke, Esquire, Wilmer Cutler Pickering Hale and Dorr LLP, counsel to defendant John J. Masiz, who agreed to accept service of same on behalf of said defendant.

STATEMENT OF SERVICE FEES

TRAVEL 0	SERVICES 0	TOTAL 0
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on June 17, 2004
Date

Nancy Freeman Gans
Signature of Server
Nancy Freeman Gans
MOULTON & GANS, P.C.

Address of Server
33 Broad St., Suite 1100
Boston, MA 02109-4216

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.